

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BERTHA BROWN,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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Case Number 17-13843

Honorable David M. Lawson

Magistrate Judge Mona K. Majzoub

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION,  
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT, GRANTING  
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, AFFIRMING DECISION OF  
THE COMMISSIONER, AND DISMISSING COMPLAINT**

Presently before the Court is the report issued on December 12, 2018 by Magistrate Mona K. Majzoub pursuant to 28 U.S.C. § 636(b), recommending that the Court deny the plaintiff's motion for summary judgment, grant the defendant's motion for summary judgment, and affirm the decision of the Commissioner. Although the magistrate judge's report stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation (ECF No. 19) is **ADOPTED**.

It is further **ORDERED** that the plaintiff's motion for summary judgment (ECF No. 15) is **DENIED**.

It is further **ORDERED** that the defendant's motion for summary judgment (ECF No. 18) is **GRANTED**.

It is further **ORDERED** that the decision of the Commissioner is **AFFIRMED**.

It is further **ORDERED** that the complaint is **DISMISSED**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Date: January 2, 2019

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 2, 2019.

s/Susan K. Pinkowski  
SUSAN K. PINKOWSKI